

December 5, 2006

Chairman John Stahl & Family and Children Services Committee Members  
State Capitol  
P.O. Box 30036  
Lansing, MI 48909

Dear Chairman Stahl,

I am writing this letter from a multi-faceted viewpoint as dedicated father, a social worker who has worked in the movement to end violence against women for 20+ years in the state of Michigan, and a founding member of the Batterer Intervention Services Coalition of Michigan (BISC-MI). In addition, to the above credentials, I served as Governor Engler's Co-Chair of the Taskforce on the creation of Michigan Standards for Batterer Intervention Programs. I strongly oppose HB 5267 which would change Michigan Law by requiring judges to start with a presumption that it is in the child's best interest for the parents in a child custody case to be awarded both joint legal and joint physical custody. This could only be characterized as a "batterer friendly" legal practice and is in no way in the child's best interest.

Men who batter are well known for their ability to manipulate systems and use systems to their own personal advantage which comes at the inescapable cost of their victims. It is an exceedingly common tactic for a man who batterers to use children to manipulate his victim. This practice (proposed HB 5267) would directly play into the hands of these all too ready perpetrators of family terror. Joint custody already receives special and preferential consideration under Michigan law, which requires courts to inform the parties of the availability of joint custody, consider awarding joint custody if either party requests it, and state the reasons on the record of joint custody is not awarded. HB 5267 is not in the "best interest of the child", it is however, in the best interest of the perpetrator of domestic violence.

In 1986 I founded and continue to direct the Alternatives to Domestic Aggression (ADA) Program at Catholic Social Services of Washtenaw County. I have had conversations with the participants of ADA about this sort of legislation, and they have clearly stated that this would only benefit the batterer who was not at all invested in stopping his violent and battering behaviors. The majority of custody cases are in fact resolved by the parties coming to an agreement. Since Michigan law directs judges to enter such agreements as the final custody order, unless the court finds by clear and convincing evidence that the agreement is not in the "best interest of the child", this presumption would most directly impact those cases where the parties cannot agree. A large majority of these cases involve domestic violence.

I hope you understand how dangerous and problematic HB 5267 is for the victims of domestic violence and their children who are often the "unnamed" victims of domestic violence. I appreciate the time that you have given to consider my voice and message and am happy to speak with you further if you have any questions or would like to discuss this further. I can be reached by the contact information below my signature.

Sincerely,



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**Family Life Services**

- \* Food Program
- \* Housing Support Services
- \* Joseph's Family
- \* Parish Outreach
- \* Rainbows
- \* We C.A.R.E.

**Intervention Services**

- \* Alternatives to Domestic Aggression
- \* Behavioral Health Services
- \* Families First
- \* Washtenaw Child Advocacy Center

**New Families Services**

- \* Adoption Services
- \* Father Patrick Jackson House
- \* Healthy Families
- \* Pregnancy Counseling
- \* TeenLINK

**Older Adult Services**

- \* Grandparents as Parents
- \* Interfaith Volunteer Caregivers
- \* Lifeline
- \* Medicare/Medicaid Assistance
- \* Retired & Senior Volunteer Program
- \* Tax Assistance